

## Colorado Senior Property Tax Homestead Exemption

The homestead exemption for qualifying senior citizens is available to qualifying seniors and the surviving spouses of seniors who previously qualified. The three basic requirements are; 1) the qualifying senior must be at least 65 years old on January 1 of the year in which he or she qualifies; 2) the qualifying senior must be the owner of record, and must have been the owner of record for at least ten consecutive years prior to January 1; and 3) the qualifying senior must occupy the property as his or her primary residence, and must have done so for at least ten consecutive years prior to January 1.

In 2003, the Legislature temporarily suspended funding for the senior exemption program. Funding is scheduled to return for assessment year 2006, payable 2007. When it does, the exemption will reduce the actual value of your residential property by 50 percent up to a maximum reduction of \$100,000. The state pays the tax on the exempted value.

An applicant or married couple can apply for the exemption on **only one property**. That property must be his or her primary residence. Married couples and individuals who apply for the exemption on multiple properties will be denied the exemption on each property. For the purpose of the exemption, “**primary residence**” is synonymous with “residence” as defined for voter registration purposes in Title 1, Article 1, Section 104(43), of the Colorado Revised Statutes. The statute is quoted as follows: “‘*Residence*’ means the principal or primary home or place of abode of a person, as set forth in section 1-2-102.” Pertinent sections of § 1-2-102(1), C.R.S. include the following:

(a) (I) *The residence of a person is the principal or primary home or place of abode of a person. A principal or primary home or place of abode is that home or place in which a person's habitation is fixed and to which that person, whenever absent, has the present intention of returning after a departure or absence, regardless of the duration of the absence. A residence is a permanent building or part of a building and may include a house, condominium, apartment, room in a house, or mobile home. No vacant lot or business address shall be considered a residence.*

(b) *In determining what is the principal or primary place of abode of a person, the following circumstances relating to the person shall be taken into account: Business pursuits, employment, income sources, residence for income or other tax purposes, age, marital status, residence of parents, spouse, and children, if any, leaseholds, situs of personal and real property, existence of any other residences and the amount of time spent at each residence, and motor vehicle registration.*

(c) *The residence given for voting purposes shall be the same as the residence given for motor vehicle registration and for state income tax purposes.*

The **social security numbers** of the applicant and each additional person who occupies the property as his or her primary residence are required by law, §§ 39-3-205(2)(a)(I) and (III), C.R.S. They are used to ensure that no individual or married couple receives the exemption on more than one property.

**Two application forms** have been created for the exemption. The attached Short Form is intended for qualifying seniors who meet each of the requirements stated above, including those who meet the ownership requirement through ownership by their spouse. The Long Form must be used by individuals applying under the surviving spouse option and for applicants applying as the qualifying senior who fall within certain exceptions to the occupancy and ownership requirements.

**Exceptions** to the occupancy and ownership requirements are as follows: 1) the ownership has been transferred to or purchased by a trust, corporate partnership or other legal entity solely for estate planning purposes; 2) the qualifying senior or his or her spouse was or is confined to a health care facility; 3) the prior residence was condemned in an eminent domain proceeding.

The **surviving spouse** of an individual who previously qualified is someone who was married to a senior who met each of the application requirements on January 1 of the year of application. Qualifications for the surviving spouse option are listed to the right under “Long Form Qualifications.”

The application deadline for either form is **July 15** of the year for which you are seeking exemption. (The assessor is authorized to accept late applications until September 15 if the applicant can show good cause for missing the July 15 deadline.) The exemption must be applied for only once, and it remains in effect for subsequent years as long as the property ownership and

occupancy do not change. Your county assessor has a brochure containing additional information about the exemption.

### Short Form Qualifications

The application deadline for the attached Short Form is **July 15**. The form can be used by applicants who meet each of the following requirements.

- **Age Requirement:** You are 65 years old or older as of January 1 of the year for which you are seeking exemption.
- **Ownership Requirement:** You are the current owner of record, and you have owned the property for at least 10 consecutive years prior to January 1 of the tax year for which you are seeking the exemption. (You do not have to be the sole owner of the property. You can own it with your spouse or with someone else. You can also own a life estate in the property.)

*If Your Spouse is/was the Owner of Record:* For the purpose of the exemption, you are also considered an owner of the property for periods during which your spouse and not you was the owner of record, if, during those periods, your spouse and you were married and your spouse also occupied the property as his or her primary residence.
- **Occupancy Requirement:** You occupy the property as your primary residence, and you have done so for at least 10 consecutive years prior to January 1 of this year.

### Long Form Qualifications

If you qualify based on one or more of the following statements, you must use the long application form. The Long Form can be obtained by calling your county assessor at the telephone number listed on this brochure. The deadline for applying is **July 15**.

- **Surviving Spouse Option:** Did your spouse apply for and receive the exemption on your residence prior to passing away? Could your spouse have received the exemption on your residence had he or she applied? If so, you qualify as the surviving spouse if each of the following statements is true:
  - On January 1 of this year, your husband or wife met the age, ownership, and occupancy requirements stated above under “Short Form Qualifications.”
  - You currently occupy the property as your primary residence, and you did so with your spouse.

- The property has been owned by you and/or your spouse for at least 10 consecutive years prior to January 1 of this year to present.
- If your husband or wife passed away prior to January 1, review the last exception listed below to see if you qualify.

### • Exceptions to Ownership & Occupancy Requirements:

*If Property is Owned by Trust, Corporate Partnership or Legal Entity:* The ownership requirement may be satisfied if your property is owned by a trust, a corporate partnership, or other legal entity solely for estate planning purposes. You and/or your spouse must be the maker of the trust or a principal of the corporate partnership or legal entity. If the property was not owned by the trust, corporate partnership or legal entity, it would be owned by you and/or your spouse.

or

*If Confined to Healthcare Facility:* The occupancy requirement may be satisfied even though occupancy has been interrupted by confinement of the applicant or spouse to a nursing home, hospital or assisted living facility. While confined to the health care facility, the property was/is unoccupied, or it was/is occupied only by the spouse of the person confined or by a financial dependent.

or

*If Prior Residence was Condemned:* The ownership and occupancy requirements may be satisfied if the reason for not meeting the 10-year time frame is due to the condemnation of the prior residence by a governmental entity in an eminent domain proceeding. Had that not occurred, you would still live in the prior residence, and you would meet the 10-year ownership and occupancy requirements for that property, or you would qualify as a surviving spouse for that property. Since condemnation, you have not owned and occupied any residence other than the current residence.

or

*Surviving Spouse Option, Spouse Passed Away Prior to January 1:* If your spouse passed away prior to January 1, you can still qualify if your spouse met the requirements stated in “Short Form Qualifications” on January 1, 2002, or on any January 1 thereafter, and you otherwise meet the requirements for the surviving spouse option.

**CONFIDENTIAL**

County Name  
Address  
Address  
Telephone and Fax Numbers

1. Applicant's First Name, Middle Initial, and Last Name		Social Security Number	Date of Birth
2. Property Address (number & street name)		Schedule or Parcel Number	
3. City or Town	State CO	Zip Code	Telephone Number
4. Mailing Address (if different from property address)			5. Check box if ownership is held in a life estate. <input type="checkbox"/>

**Each question must be answered "True" to qualify using this form. If any question is false, please review the Long Form qualifications on the back of this form, to see if you still qualify.**

As of January 1 of this year, I am at least 65 years old. ☐ True ☐ False

The owner of record for the property described above is either a) me, b) my spouse, or c) both of us. The property has been owned by one or both of us for at least **10 consecutive years** prior to January 1 of this year. During periods when the property was owned by my spouse and not by me, my spouse and I were married, and my spouse occupied the property as his or her primary residence. ☐ **True** ☐ **False**

I occupy the property described above as my primary residence, and I have done so for at least **10 consecutive years** prior to January 1 of this year. ☐ True ☐ False

**7. Each additional person who occupies the property as his or her primary residence must be listed here.**  
(Attach an additional sheet if necessary.)

Person who also occupies property as primary residence	Spouse <input type="checkbox"/> Yes <input type="checkbox"/> No	Social Security Number
Person who also occupies property as primary residence		Social Security Number
Person who also occupies property as primary residence		Social Security Number

**I declare, under penalty of perjury in the second degree (§ 18-8-503, C.R.S.), that the information I provided on this form and on any attachments is correct.**

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Signer is: ☐ Applicant ☐ Spouse ☐ Guardian ☐ Conservator ☐ Attorney-in-fact

If signer is guardian, conservator or attorney-in-fact, you must provide authorization in the form of a court order or power of attorney.

Other Contact: \_\_\_\_\_ Telephone Number: \_\_\_\_\_  
(relative, personal representative, etc.)

**The assessor must be informed of any change in ownership or occupancy of the property within 60 days of when the change occurs.**

Mail or deliver this form to your county assessor by **July 15**. We recommend you **obtain a receipt** when delivering the form in person, or mail the form by **certified mail**. You may also call the assessor prior to July 15 to ensure that it was received.

**Note:** For #1 and #7 below, you must include the name and social security number of each person who occupies the property as his or her primary residence.

1. Please provide your name, social security number and date of birth. (Your spouse should be identified in section 7, even if he or she also qualifies.)
2. Identify the property address and its schedule or parcel number.
3. List the city or town, zip code of the property, and your telephone number.
4. List your mailing address here if different than your property address. (If your mailing address is not located in the same community, please attach an explanation.)
5. Check the box if title is held in a life estate. The information helps the assessor process the application.
6. Age, occupancy, and ownership - In order to use the Short Form, all three questions in this section must be answered "True". If any questions are "False", please review the Long Form Qualifications to see if you still qualify.
7. Each additional person who occupies the property as his or her primary residence must be listed here, along with his or her social security number. The form will be kept confidential. If your husband or wife occupies the property, he or she must be listed on the first line and identified as your spouse. If more than three additional people occupy the property, you can attach an additional sheet with their names and social security numbers.
8. You must sign and date the form. If the form is signed on behalf of the applicant by a guardian, conservator, or attorney-in-fact, that person must provide documentation of his or her authority in the form of a court order or power of attorney. If there is a contact person other than the applicant, please provide the name and telephone number of that person.

If you have any questions, please contact your county assessor's office at the telephone number listed on this brochure.

## SHORT FORM

File no later than **July 15**



County Name  
Address  
Phone:  
Fax:  
county web site

Detach Here